

**9162. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. \* \* \* v. 9 Boxes of \* \* \* Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11530. I. S. No. 8187-r. S. No. C-1605.)**

On December 9, 1919, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 boxes of Madame Dean Antiseptic Vaginal Suppositories, at Detroit, Mich., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on April 14, 1919, and transported from the State of Pennsylvania into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Outside carton and circular) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhoeal Inflammation, Leucorrhoeal Discharges; Inflammation, Congestion and Ulceration of the Vagina. \* \* \* The United Medical Co. \* \* \* Lancaster, Pa.;" (retail carton) "Madame Dean Antiseptic Vaginal Suppositories For the Relief of Leucorrhoea or Whites, Gonorrhoea, Inflammation, Congestion, Ulceration and Similar Female Complaints;" (booklet) "Madame Dean Antiseptic Vaginal Suppositories. An effectual suppository for the relief of Leucorrhoea or Whites, Gonorrhoea, and Similar Female Complaints."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of a salt of bismuth, alum, boric acid, tannin, and a trace of powdered plant drug in a cacao butter base.

It was alleged in substance in the libel that the article was misbranded for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects set forth in the above-quoted statements, and the said statements were false and fraudulent.

On November 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9163. Misbranding of sour salt. U. S. \* \* \* v. Samuel Pressner and Israel Pressner (S. Pressner Co.). Pleas of guilty. Fine, \$5. (F. & D. No. 12102. I. S. No. 12541-r.)**

On or about April 28, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Samuel Pressner and Israel Pressner, heretofore copartners, trading as the S. Pressner Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on November 14, 1918, from the State of New York into the State of Massachusetts, of a quantity of sour salt which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of tartaric acid and ammonia alum.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Sour Salt," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was composed wholly of sour salt, and for the further reason that it was labeled as aforesaid so as to

deceive and mislead the purchaser into the belief that the article was composed wholly of sour salt, whereas, in truth and in fact, it was not composed wholly of sour salt, but was a mixture composed in part of alum. Misbranding was alleged for the further reason that the article was a mixture composed in part of alum prepared in imitation of sour salt, and was offered for sale and sold under the distinctive name of another article, to wit, sour salt.

On February 28, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

**9164. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. Charles V. Sparhawk. Plea of guilty. Fine, \$150. (F. & D. No. 12354. I. S. No. 12675-r.)**

On August 11, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles V. Sparhawk, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February [December] 27, 1918, from the State of New York into the State of Massachusetts, of a quantity of oil of birch which was adulterated and misbranded. The article was labeled in part, "Oil of Birch Charles V. Sparhawk 278 Pearl Street New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation, in that said Pharmacopœia provided that the article should be distilled from sweet birch, whereas it consisted in whole or in part of synthetic methyl salicylate. Adulteration was alleged for the further reason that a substance, to wit, synthetic methyl salicylate, had been substituted in whole or in part for oil of birch, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Oil of Birch," borne on the cases containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was oil of birch, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was oil of birch, whereas, in fact and in truth, it was not oil of birch, but was a mixture composed in large part of synthetic methyl salicylate. Misbranding was alleged for the further reason that the article was a mixture composed in large part of synthetic methyl salicylate prepared in imitation of oil of birch, and was offered for sale and sold under the distinctive name of another article, to wit, oil of birch.

On February 7, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$150.

E. D. BALL, *Acting Secretary of Agriculture.*